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Attorneys for Plaintiff and the Putative Class

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

JANE DOE, on behalf of
herself and all others similarly
situated,

Plaintiff

vs

PHE, INC. AND GOOGLE LLC,

Defendants

Case No. 2:24-cv-01065-RGK-SK

Hon. R. Gary Klausner

**RESPONSE TO COURT'S ORDER TO SHOW CAUSE RE LACK OF
PROSECUTION**

INTRODUCTION

Plaintiff Jane Doe, on behalf of herself and all others similarly situated, by and through counsel, submits this response to the Court's Order to Show Cause dated March 7, 2024 which requires that Plaintiff proffer proof of service as to Defendant PHE, Inc. ([Doc. No. 28]). On January 3, 2024, Plaintiff filed this action against Defendants in Los Angeles County Superior Court (Case No. 24STCV00181) (the "Superior Court Action"). Plaintiff served both defendants with the summons and operative complaint from the Superior Court Action. Annexed hereto as Exhibit "A" is the Proof of Service as to Defendant PHE. Thereafter, Counsel for PHE, Inc. filed a Notice of Appearance in the Superior Court Action on January 16, 2024. *See* Superior Court Action Case Summary, annexed hereto as Exhibit "B."

Defendant Google LLC subsequently removed the Superior Court Action to the United States District Court for the Central District of California on February 7, 2024 (the "Instant Action"). Counsel for PHE, Inc. has appeared in the Instant Action and has filed a Notice of Interested Parties. ([Doc. No. 10&11]). Additionally, counsel for PHE has stipulated to its deadline to answer the complaint. ([Doc. No. 22]).

Plaintiff has timely served the summons and complaint on Defendant PHE pursuant to Fed. R. Civ. P. 4. Since PHE has been served, has appeared, and has stipulate to its deadline to answer the complaint in the Instant Action, Plaintiff respectfully requests that the Court discharge the Order to Show Cause.

Dated: March 11, 2024
Detroit, Michigan

Respectfully submitted,

/s/ Julia G. Haghighi

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10 *Putative Class*
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EXHIBIT A

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) Arnold C. Wang, Esq SBN: 204431 ARIAS SANGUINETTI WANG & TORRIJOS 6701 Center Drive West 1400 Los Angeles, CA 90045 TELEPHONE NO.: (310) 844-9696 FAX NO. (310) 861-0168 E-MAIL ADDRESS arnold@asslawyers.com ATTORNEY FOR (Name): Plaintiffs and the Putative Class: Jane Doe, etc.	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 NORTH HILL STREET CITY AND ZIP CODE: LOS ANGELES, CA 90012 BRANCH NAME: STANLEY MOSK COURTHOUSE	
PLAINTIFF/PETITIONER: Jane Doe, etc. DEFENDANT/RESPONDENT: PHE, INC., et al.	CASE NUMBER: 24STCV00181
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.: Phe, Inc. Adam Eve

(Separate proof of service is required for each party served.)

- At the time of service I was at least 18 years of age and not a party to this action.
- I served copies of:
 - ☒ Summons
 - ☒ Complaint
 - ☒ Alternative Dispute Resolution (ADR) package
 - ☒ Civil Case Cover Sheet
 - ☐ Cross-Complaint
 - ☒ other (specify documents): **CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION; NOTICE OF CASE ASSIGNMENT – UNLIMITED CIVIL CASE; FIRST AMENDED GENERAL ORDER; VOLUNTARY EFFICIENT LITIGATION STIPULATIONS; ORDER PURSUANT TO CCP 1054(a)**
- Party served (specify name of party as shown on documents served):
PHE, INC.
 - ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
Chad D. Davis - Agent for Service of Process
 Age: 55-59 | Weight: 140-160 | Hair: Bald | Sex: Male | Height: 5'5-5'8 | Eyes: | Race: Caucasian
- Address where the party was served: **302 Meadowlands Dr
Hillsborough, NC 27278-8502**
- I served the party (check proper box)
 - ☒ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **1/10/2024** (2) at (time): **12:13 PM**
 - ☐ **by substituted service.** On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
 - ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
 - ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.

RESPONDENT: PHE, INC., et al.

CASE NUMBER:
24STCV00181

- c. ☐ **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ **by other means** (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☒ On behalf of **PHE, INC.**

under the following Code of Civil Procedure section:

- | | |
|---|---|
| <input checked="" type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. **Person who served papers**

- a. Name: **Joseph Richardson - Nationwide Legal, LLC REG: 12-234648**
- b. Address: **1609 James M Wood Blvd. Los Angeles, CA 90015**
- c. Telephone number: **(213) 249-9999**
- d. The fee for service was: **\$ 291.00**
- e. I am:

- (1) ☒ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☐ registered California process server:
- (i) ☐ owner ☐ employee ☐ independent contractor.
- (ii) Registration No.:
- (iii) County:

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **1/10/2024**

Nationwide Legal, LLC
1609 James M Wood Blvd.
Los Angeles, CA 90015
(213) 249-9999
www.nationwideasap.com

Joseph Richardson

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)



(SIGNATURE)

EXHIBIT B

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

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CASE INFORMATION

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Case Number: 24STCV00181
JANE DOE, VS PHE, INC., ET AL.

Filing Courthouse: Spring Street Courthouse

Filing Date: 01/03/2024

Case Type: Other Non-Personal Injury/Property Damage tort (General Jurisdiction)

Status: Pending

[Click here to access document images for this case](#)

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FUTURE HEARINGS

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

05/31/2024 at 4:00 PM in Department 14 at 312 North Spring Street, Los Angeles, CA 90012

Non-Appearance Case Review

PARTY INFORMATION

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ARIAS MIKE - Attorney for Plaintiff

DOE JANE - Plaintiff

GOOGLE LLC - Defendant

HUR BENEDICT YUNG - Attorney for Defendant

JENKINS M. ANTHONY - Attorney for Plaintiff

PAULICK JAMES K. - Attorney for Defendant

PHE INC. - Defendant

WANG ARNOLD C. - Attorney for Plaintiff

DOCUMENTS FILED

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Documents Filed (Filing dates listed in descending order)

03/08/2024 Notice of Entry of Judgment or Order

Filed by Google LLC (Defendant)

02/28/2024 Certificate of Mailing for ((Court Order Re: Notice of Removal to Federal Court;) of 02/28/2024)

Filed by Clerk

02/28/2024 Minute Order ((Court Order Re: Notice of Removal to Federal Court;))

Filed by Clerk

02/07/2024 Notice To Adverse Party And State Court Of Removal

Filed by Google LLC (Defendant)

01/16/2024 Notice of Appearance

Filed by Phe, Inc. (Defendant)

01/12/2024 Proof of Personal Service

Filed by Jane Doe, (Plaintiff)

01/03/2024 Notice of Case Assignment - Unlimited Civil Case

Filed by Clerk

01/03/2024 Voluntary Efficient Litigation Stipulation Packet

Filed by Clerk

01/03/2024 First Amended General Order re: Mandatory Electronic Filing

Filed by Clerk

01/03/2024 Alternate Dispute Resolution Packet

Filed by Clerk

01/03/2024 Summons (on Complaint)

Filed by Jane Doe, (Plaintiff)

01/03/2024 Civil Case Cover Sheet

Filed by Jane Doe, (Plaintiff)

01/03/2024 Complaint

Filed by Jane Doe, (Plaintiff)

PROCEEDINGS HELD

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Proceedings Held (Proceeding dates listed in descending order)

02/28/2024 at 09:45 AM in Department 14, Kenneth R. Freeman, Presiding

Court Order

REGISTER OF ACTIONS

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03/08/2024 Notice of Entry of Judgment or Order; Filed by: Google LLC (Defendant); As to: Jane Doe, (Plaintiff)

02/28/2024 Non-Appearance Case Review Re. Status of Removal to Federal Court scheduled for 05/31/2024 at 04:00 PM in Spring Street Courthouse at Department 14

02/28/2024 Certificate of Mailing for (Court Order Re: Notice of Removal to Federal Court;) of 02/28/2024; Filed by: Clerk

02/28/2024 Minute Order (Court Order Re: Notice of Removal to Federal Court;)

02/07/2024 The case is placed in special status of: Stay - Removal to Federal Court

02/07/2024 Notice To Adverse Party And State Court Of Removal; Filed by: Google LLC (Defendant)

01/17/2024 Address for James K. Paulick (Attorney) updated

01/16/2024 Notice of Appearance; Filed by: Phe, Inc. (Defendant)

01/12/2024 Proof of Personal Service; Filed by: Jane Doe, (Plaintiff); As to: Google LLC (Defendant); Service Cost: 185.00; Service Date: 01/08/2024; Service Cost Waived: No

01/04/2024 Case assigned to Hon. Kenneth R. Freeman in Department 14 Spring Street Courthouse

01/03/2024 Notice of Case Assignment - Unlimited Civil Case; Filed by: Clerk

01/03/2024 Voluntary Efficient Litigation Stipulation Packet; Filed by: Clerk

01/03/2024 First Amended General Order re: Mandatory Electronic Filing; Filed by: Clerk

01/03/2024 Alternate Dispute Resolution Packet; Filed by: Clerk

01/03/2024 Summons on Complaint; Issued and Filed by: Jane Doe, (Plaintiff); As to: Phe, Inc. (Defendant); Google LLC (Defendant)

01/03/2024 Civil Case Cover Sheet; Filed by: Jane Doe, (Plaintiff); As to: Phe, Inc. (Defendant); Google LLC (Defendant)

01/03/2024 Complaint; Filed by: Jane Doe, (Plaintiff); As to: Phe, Inc. (Defendant); Google LLC (Defendant)

01/03/2024 The case is placed in special status of: Class Action

01/03/2024 The case is placed in special status of: Provisionally Complex ? Case Type

NEW SEARCH